

M6



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/295,288	04/20/1999	MICHAEL J. FARGANO	1610USW-0487	7007

22193 7590 03/12/2002

QWEST COMMUNICATIONS INTERNATIONAL INC
LAW DEPT INTELLECTUAL PROPERTY GROUP
1801 CALIFORNIA STREET, SUITE 3800
DENVER, CO 80202

EXAMINER

SOBUTKA, PHILIP

ART UNIT PAPER NUMBER

2683

DATE MAILED: 03/12/2002

5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/295,288

Applicant(s)

FARGANO ET AL.

Examiner

Philip J. Sobutka

Art Unit

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. Claims 1,2,5,6,8,9,11-13,18-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Mirza et al (US 5,991,616).

Consider claims 1,19. Mirza teaches a system comprising control logic connected to a wireless network configured to generate a wireless call detail record in response to placement of a wireless call from a call source having an identity; additional control logic connected to a wire line network, the logic configured to generate a wire line call detail record; and an operation support system having call detail record control logic configured to receive the wireless call detail record from the access manager control logic to receive the wire line call detail record from the switch control logic and to combine wireless and wire line call detail records that correspond to the same customer into an integrated call record. Note that Mizra integrates the claimed wireless and wire line logic control and support systems in a single service control point, SCP (Mirza see especially fig 1, col 3, lines 13 – col 4, line 40).

As to claim 12, the system of Mirza would perform the claimed steps.

As to claims 2,13,20, note that Mirza receives the wireless data in a stream from the wireless system while the wire line data is received from the wire line system in a second stream (Mirza see especially fig 1).

As to claims 5,6, note that Mirza teaches the call data record containing a MIN (Mirza see especially col 3, lines 38-46).

Art Unit: 2683

As to claims 8,9, note that Mirza teaches the call data including the call source location and cal duration (Mirza see especially col 3, lines 38-46).

As to claims 11,18, note that the call detail record represents calling feature usage corresponding to the customer

Claim Rejections - 35 USC § 103

2. Claims 3,10,14,17, are rejected under 35 U.S.C. 103(a) as being unpatentable over Mirza.

Consider claims 3,14. Mirza lacks a teaching of the wireless and wire line call records being transmitted to the manager logic from the switch using a combined message. Note that Mirza teaches the two records reaching the SCP over two different routes including the switch, but is silent as to how the combined information may be transmitted throughout the system for further processing. It would be apparent to one of ordinary skill in the art that the above difference would depend more upon engineering design considerations than on any inventive concept limitation because the overall operation of the system would not be changed by the particular routing of the combined call records. Therefore, it would have been obvious to one of ordinary skill in the art to modify Mirza as shown in the claims to combine the call records at the switch before transmission to the SCP in order to reduce the processing required at the SCP and to allow for a central location to receive all call records.

As to claims 10,17, Mirza also lacks a teaching of the call record including the call routing. Official Notice is taken that it is notoriously well known to provide information on which calls were roaming calls, i.e. routed through another carrier. It

Art Unit: 2683

would have been obvious to one of ordinary skill in the art to modify Mirza to include roaming call information in order to ensure that the customer was aware that some of the cost of the call was out of control of the customer's system.

3. Claims 4,7,15,16, are rejected under 35 U.S.C. 103(a) as being unpatentable over Mirza in view of Friend (US 6,091,944).

Consider claims 4,15. Mirza lacks a teaching of the system providing the call billing record on demand to a customer. Friend teaches a providing call billing records in response to customer demand (Friend see especially, abstract, col 1. lines 44 – 67). It would have been obvious to one of ordinary skill in the art to modify Mirza as taught by Friend in order to supply the customer with billing records on demand in order to allow customers to easily obtain an accurate record of expenses without having to wait until receipt of the monthly bill.

Consider claims 7,16. Mirza lacks a teaching of the call billing record including the dialed number. Friend teaches a call billing record including the dialed number. It would have been obvious to one of ordinary skill in the art to modify Mirza as taught by Friend to include the dialed number in order to allow the customer to easily identify the call.

Response to Arguments

4. Applicant's arguments filed 12-20-01 have been fully considered but they are not persuasive.

Applicant's arguments have failed to address how the instant claims would distinguish over Mirza. Applicant appears to simply argue that since Mirza does not

Art Unit: 2683

contain the terminology "access manager control logic" that the claims distinguish.

However, Mirza clearly has logic elements that perform the claimed function, therefore, the fact that Mirza uses different terminology does not distinguish the claims.

Conclusion

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip J. Sobutka whose telephone number is 703-305-4825. The examiner can normally be reached on Monday-Friday 8:30-6:00, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone numbers for

Art Unit: 2683

the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

Philip Sobutka

Pjs
March 6, 2002



WILLIAM TROST
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600